

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JOHN HUGHES,

Plaintiff,

Civil No. 09-591-HA

ORDER

v.

MICHAEL J. ASTRUE,
COMMISSIONER of Social Security,

Defendant.

HAGGERTY, District Judge:

Counsel for plaintiff John Hughes moves for an award of attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$5,804.48. Defendant Commissioner has no objection.

Upon counsel's representations, it is ordered that attorney Bruce Brewer be paid \$5,804.48 upon verification that plaintiff has no debt to the government which qualifies for offset against the awarded fees, pursuant to the reasoning addressed in *Astrue v. Ratliff*, ___ U.S.

____, 130 S. Ct. 2521, 2527 (2010) (EAJA awards fees to the litigant, subjecting the fee calculation "to a federal administrative offset if the litigant has outstanding federal debts."). If plaintiff has no such debt, then payment of \$5,804.48 shall be made to Bruce Brewer, and mailed to his office at 419 5th Street, Oregon City, Oregon, 97045.

If plaintiff has such debt, then payment for any remaining funds after offset of the debt shall be made to plaintiff's attorney and mailed to his office at the address provided above.

Counsel represents that there are no costs or expenses to be paid herein.

IT IS SO ORDERED.

Dated this 13 day of October, 2010.

/s/ ANCER L. HAGGERTY
Honorable Ancer Haggerty
United States District Judge